

ORDINANCE NO. 4

SERIES 1952

AN ORDINANCE VACATING ALL THAT PORTION OF NORTH EIGHTH AVENUE LYING BETWEEN THE NORTH LINE OF FRESNO STREET AND THE SOUTH LINE OF HARTFORD STREET, AND ALL THAT PORTION OF GALVESTON STREET LYING BETWEEN THE EAST LINE OF NORTH NINTH AVENUE AND THE WEST BOUNDARY OF THE O. W. R. R. & N. COMPANY RAILROAD RIGHT OF WAY, ALL IN THE CITY OF ELGIN, OREGON (BEING THE SAME PORTIONS OF SAID STREETS DESCRIBED IN RESOLUTION NO. 4, SERIES 1952), and DECLARING AN EMERGENCY

WHEREAS the Common Council of the City of Elgin has heretofore caused an examination to be made of that portion of the streets hereinafter described, and of the properties adjacent to and adjoining the same and situated in the immediate vicinity thereof, and has found that the vacation of those areas of the streets hereinafter described will not in any way affect the market value of adjoining, adjacent and closely situated properties and that the public interest will not be prejudiced thereby, and

WHEREAS, on the third day of September, 1952, the Common Council of the City of Elgin, Oregon, duly passed and adopted a Resolution to initiate proceedings to vacate those areas of North Eighth Avenue and Galveston Street as are hereinafter described and thereby declared its intention to make such vacation without a petition or consent of property owners and fixed Wednesday, November 5, 1952, at the hour of eight o'clock P.M., at the Council Chambers in the City Hall of Elgin, Union County, Oregon, as the time for hearing any and all objections and remonstrances to such vacation; and

WHEREAS, a certificate has been filed by the City Recorder of the City of Elgin showing that all city liens and all taxes have been paid on the lands covered by the plat and areas thereof to be vacated and that no damage has accrued or will be caused as the result of any such vacation; and

WHEREAS, notice of such vacation was duly published in the Elgin Recorder, a weekly newspaper of general circulation printed and published in Elgin, Union County, Oregon, for four consecutive and

successive weeks, beginning with the issue of said newspaper dated September 11, 1952, and ending with the issue of said newspaper dated October 20^{A.P.M.}, 1952, due proof of such publication having heretofore been filed with the City Recorder of Elgin, Oregon; and

WHEREAS, notice of such vacation was duly posted on the 12th day of September, 1952, in four public places in the City of Elgin, Oregon, all in public view, to wit, one at the intersection of said North Eighth Avenue and Fresno Street, one at the intersection of said North Eighth Avenue and Hartford Street, one at the intersection of Galveston Street and North Ninth Avenue, and one at the intersection of said Galveston Street and the O-W.R.R. & N. Company railroad right of way, due proof of such posting having been filed heretofore with the City Recorder of Elgin, Oregon; and

WHEREAS, at the time and place fixed for hearing upon said vacation, to wit, eight o'clock P.M. on the 5th day of November, 1952, at the Council Chambers in the City Hall of Elgin, Union County, Oregon, said hearing was held and no objection to such vacation or remonstrance thereto was made in writing or filed with the City Recorder of Elgin, Oregon, prior to the time of such hearing, and no one appeared at such hearing to make any objection or remonstrance to such vacation;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ELGIN DO ORDAIN AS FOLLOWS:

Section 1. That all that portion of North Eighth Avenue lying between the north line of Fresno Street and the south line of Hartford Street, and all that portion of Galveston Street lying between the east line of North Ninth Avenue and the west boundary of the O-W. R. R. & N. Company railroad right of way, all in the city of Elgin, Oregon, being otherwise described as North Eighth Avenue between Blocks 1 and 2 and between Blocks 11 and 12 in Hiddman's Addition to Elgin, Oregon, the same being that area of said North Eighth Avenue extending from the intersection of said North Eighth Avenue and Fresno Street and running thence in a northerly direction to the intersection of said

North Eighth Avenue and Hartford Street, and as that portion of Galveston Street between Blocks 2 and 11 and between Blocks 1 and 12 of Hindman's Addition to the city of Elgin, Union County, Oregon, the same being that area of said Galveston Street extending from the intersection of said Galveston Street and North Ninth Avenue and running thence in an easterly direction to the west boundary of the O-W.R.R. & N. Company railroad right of way, all in the city of Elgin, Union County, Oregon, be and the same are hereby vacated, and that part of the plat showing North Eighth Avenue and Galveston Street as herein described shall henceforth be held for naught and the title to said vacated streets shall be and remain as by law provided.

Section 2. That the City Recorder of Elgin, Oregon, is hereby directed to cause a certified copy of this Ordinance, together with a plat showing the areas vacated hereby, to be recorded in the Records of Plat Vacations in the office of the County Clerk of Union County, Oregon, and also to file certified copies of this Ordinance with the County Assessor and the County Surveyor of Union County, Oregon.

Section 3. It appearing that North Eighth Avenue and Galveston Streets as now being vacated have never been open to public travel and that it is necessary for the preservation of the peace and quiet of the City of Elgin that this Ordinance shall take effect immediately upon its passage and approval, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and posting as required by the Charter of the City of Elgin.

Passed this 5th day of November, 1952, by _____ Councilmen voting therefor.

Approved this 5th day of November, 1952.

Earl Moore
Mayor

Filed this 5th day of November, 1952.

City Recorder